

National Struggles in a Transnational Economy: A Critical Analysis of US Labor's Campaign Against NAFTA

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Following an overview of US workers' changing relation to free trade in the postwar era, this article offers a critical review of labor's fight against the North American Free Trade Agreement (NAFTA). Breaking the campaign down into a typology of four major themes around which the struggle focused—fear of job losses, the unfair suppression of labor rights in Mexico, cross-border solidarity, and international labor rights—it explores the efficacy of these approaches in terms of their ability to build toward a transnational agenda for unions in North America. The article argues that, although many new and creative ideas emerged from the struggle, the overall tone and content of the anti-NAFTA campaign failed to construct a usable transnational political space for the future of organized labor and instead served to nurture nationalistic social identities within the United States.

2/1992-93

The bruising battle over the North American Free Trade Agreement (NAFTA) presented the most prominent public discussion to date about US workers and the growing trends toward a continental labor market and a globally integrated economy.¹ It is of crucial importance, however, not to

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1. An earlier version of this article was presented at the conference "Labor, Free Trade and Economic Integration in the Americas" at Duke University, 25–27 August 1994, and a later version at the Twenty-First Annual Southwest Labor Studies Conference at the University of California at Los Angeles, 4–6 May 1995. It draws on the energetic collaborations of the

mistake the trade agreement for the broader trend of North American or global economic change itself. The continental pact stirred up only the loudest and most contested aspect of a much larger process of silent economic integration that has been taking place over the last two decades, and one that would have undoubtedly continued with or without the successful passage of the trade deal. Yet how successfully organized labor, its progressive allies, and its international bodies respond to the challenges of all aspects of globalization, including regional trade blocs, will have a decisive impact on labor rights and standards, wages, working conditions, health and safety issues, and the level of material and moral dignity working people can expect to achieve in a pattern of production that threatens to pit worker against worker on a global scale. For these reasons it is worth turning a critical eye toward how organized labor in the United States presents its political identity in the global arena.

Labor advocates, progressives, and a variety of non-governmental organizations have responded to the erosion of employment and labor rights and standards by putting forth numerous counterproposals, social clauses, and labor rights mechanisms that would either modify or transform these trade pacts in order to protect workers' rights in the globalizing economy.² Although many engaging and creative strategies emerged during and after the anti-NAFTA struggle, it is the argument of this paper that the mainstream of organized labor in the United States created only the most incipient and fragile of political spaces for progressive alternatives to the trade deal. The tone and content of the campaign did not work to build strong and useful forms of transnational politics in North America, and, equally as troubling, the nation-based social identities which continued to be marshaled by organized labor did not address the fundamental issues presented by the ongoing dilemma of global economic integration. The NAFTA fight did, however, provide the opportunity to begin the long process of reassessing the strategic vision of labor unions since the end of the postwar boom.

Duke-UNC Working Group on Labor and Free Trade. Special thanks go to working group members John D. French, Scott Littlehale, and Mark Healey, and the many members of the labor movement who kindly took time out to assist me with documents and information. Gratitude to Ian Robinson and Victor Muñoz for insightful and lengthy debates over these ideas, and thanks to Leon Fink, Georg Leidenberger, and David Barkin.

2. For a brief outline of NAFTA's deficiencies see Darryl Holter, "What NAFTA Needs: Labor Standards and Worker Rights," *Latin American Labor News* 6&7(1992-1993).

I. History

Workers in the United States have enjoyed an enviable position in the world economy throughout the postwar era, and remained the major recipients of the bounty created by trade liberalization in the postwar era. In contrast to today's struggle over NAFTA, for instance, the AFL-CIO played a key role in the fight to pass President Kennedy's tariff-reducing Trade Expansion Act of 1962. Designed to increase trade by lowering tariffs up to 50 percent over five or more years, labor understood the bill to be in fundamental harmony with its needs. For workers during the "Golden Age" of US capitalism—a period of uneasy but mutual recognition between labor and capital—the equation was relatively simple: expanding trade meant a growing economy which meant both rising wages and increased job opportunities in the United States.³

The year 1962 also saw another component in the AFL-CIO's global plan: the opening of the American Institute for Free Labor Development (AIFLD) designed to proselytize its vision of mutual collaboration between labor, government, and business. The organization quickly became an arm of the US government's foreign policy establishment by spreading business-style unionism throughout Latin America in an effort to oppose a variety of insurgent Marxist-led labor-movements. The result, however, was the subordination of democracy abroad to the creation of stable climates for US foreign investment. Much like the goal of lowering tariffs to increase trade, the AIFLD sought to promote the economic interests of US workers by securing raw materials and expanding markets—often at the expense of Latin American workers' democratic struggles.⁴

Less than ten years after the AFL-CIO heartily endorsed free trade and created the AIFLD, changes in US workers' position in the emerging pattern of transnational production and world competition forced organized labor to turn from advocating open international markets to a failed attempt to slam the door on the encroaching global economy. As competition sharpened from Japan and Europe, US-based corporations began outsourcing production to offshore sites which meant that unionists began to associate interna-

3. Peter Donahue, "'Free Trade' Unions and the State: Trade Liberalization's Endorsement by the AFL-CIO, 1943–1962," *Research in Political Economy* 13(1992): 54–64; for a useful discussion a labor-capital settlement in the postwar era see Bruce Nissen, "A Post-World War II 'Social Accord?'" in Bruce Nissen, ed., *US Labor Relations, 1945–1989: Accommodation and Conflict* (New York: Garland, 1990), 173–207.

4. Paul G. Buchanan, "The Impact of US Labor," in Abraham F. Lowenthal, ed., *Exporting Democracy: The United States and Latin America, Themes and Issues* (Baltimore: Johns Hopkins Press, 1991), 158.

tional trade not with unprecedented prosperity but with an exodus of US jobs and the erosion of domestic working standards and labor rights. Similarly, pacified foreign labor movements slowly began to appear less like victories in the Cold War than they did the key criteria in corporations' plant location decisions. For US workers, the world began to appear less like a resource-rich backyard than it did a hostile neighborhood filled with, as Willie Farah reminded his employees during the great 1974 garment workers' strike, "2 billion foreigners out there willing to work for 10 cents an hour."⁵

In response to these transformations, the unions rallied behind (and helped to write) the highly protectionist Hartke-Burke Foreign Trade and Investment Proposal of 1973 which included taxing foreign earnings of US corporations, eliminating tariff loopholes that supported the emerging export-processing zones, and fixing the share of the market taken by imports at levels reached in the late 1960s (the last period of uncontested US economic dominance). Senate sponsor Vance Hartke's argument for the bill captured labor's new position: "we can no longer afford to export American jobs and technology at the expense of our own industry, all in the name of 'free trade.'"⁶ As one journalist poignantly noted in the wake of labor's newfound protectionism, back when George Meany endorsed the 1962 free trade proposal he confidently proclaimed that we need "to open up our markets to such products as British woollens, German cars and Japanese toys," but he said "not a word about Japanese automobiles, television sets or steel" which now threatened US labor's privileged position in the world.⁷ In retrospect, both labor's active political support for US hegemony over Latin America and its traditional advocacy of free trade were guided by "the logic of material and organizational self-preservation" forged in an era of Cold War and unprecedented prosperity.⁸

Yet the political paradigms labor built for itself during the collapse of the postwar boom have become of limited value in an increasingly complex and competitive economic world. When the economic tables began to turn in the 1970s, the AFL-CIO's first strategy was a simple defensive struggle to protect what it had. Advocating "Buy American" campaigns, maintaining official support for the Vietnam War, turning toward plans like Hartke-Burke, and losing its comfortable niche in the Democratic Party, the AFL-

5. NACLA, *Latin America Report*, "Hit and Run: US Runaway Shops on the Mexican Border" 9 (July-August 1975): 27.

6. Congress, Senate, Senator Hartke, 92d Cong. 1st sess., *Congressional Record* (28 September 1971), vol. 117, pt. 25, 5136.

7. Irwin Ross, "Labor's Big Push for Protectionism," *Fortune* 87(March 1973): 94.

8. Buchanan, "The Impact of US Labor," 183.

CIO ended up devolving "bit by bit" into what one critic called "a great snapping turtle, plodding along when it moves at all."⁹ Despite this defensive posture, the divergence of economic interests between labor and business in the early 1970s also meant a slow ideological drift for unions away from a parochial attendance to corporate needs for an expanding economy. In its place emerged an ambivalent, but growing, interest in third-world workers with whom they began to compete and a shrill criticism of unrestrained capital—most of which evolved into some form of industrial protectionism. As Steven Hecker has suggested, however, it is not difficult to understand labor's position. "The massive loss of high-wage industrial jobs, capital flight and anti-union actions of US corporations and their allies in government," he suggests, "all taking place under an ideological regime that rejects industrial policy and a high-wage strategy as a means of competing in a global economy, cause many unions to see few other immediate alternatives to protection."¹⁰

By giving a political face to many of the otherwise elusive problems of global restructuring, deindustrialization, and downward harmonization, NAFTA ignited rank-and-file anger and thrust organized labor into an engaged center-stage role in the national discussion over the future of the political economy. The arrival of the trade pact therefore arrested a decade of political drift and retrenchment for unions in the United States. Caught between the global future and the weight of recent history, however, labor and its allies failed to offer more than a glimpse of what a long range alternative path might be for North American workers. Two obstacles blocked the path: the first was understanding the historical legacy of organized labor's role in constructing, promoting, and profiting from the unique and highly uneven prosperity of the postwar era. The second was overcoming the general lack of creative solutions to the burden and privilege of working in the richest country in the world in an emerging pattern of global production—yet in a nation which has abdicated all responsibility for industrial policy to the free market.

That unions showed an "unwillingness to counter the free market position with a more viable, positive-sum policy" remains a true but simplified understanding of US labor's tortuous path toward a transnational discus-

9. David Montgomery, *Workers' Control in America* (New York: Cambridge University Press, 1979), 170–171; this metaphor is used to describe labor's political ideologies rather than its relationship to foreign trade but is applicable here.

10. Steven Hecker, "US Unions, Trade and International Solidarity: Emerging Issues and Tactics" *Economic and Industrial Democracy* 14(1993): 357.

sion and a globally responsible vision.¹¹ In order to explore the efficacy of certain approaches to free trade, this paper now turns to examining how certain arguments against the pact resonated with workers at home and what messages they sent abroad. The emphasis here is not on the events themselves but on the effectiveness of, and contradictions in, the various themes and ideas presented in the NAFTA fight. By analyzing the tactics and images embedded in popular union-press stories, flyers, leaflets, campaign advertisements, and legislative testimony, we can explore how the politics of trade integration created overly simplistic images and often mobilized counterproductive identities around the touchstone issue of NAFTA. As the political rise of billionaire Ross Perot and other right-wing populists made evident, there was adequate political energy to sustain a social movement against unregulated globalization. The question remains, however, as to how that energy and anger could have been—and might yet be—best molded into an alternative to global neoliberalism.

Rather than moving chronologically though the NAFTA fight, the campaign has been separated into a four-part typology of arguments or, more accurately, four modes of discourse.¹² The most prominent tactic used against the agreement, around which all other arguments were arranged, was the idea that "NAFTA will cause jobs to move to Mexico." Another important approach, and one that followed the rhythm provided by the first, was a paternalism that bordered on demonization of Mexican workers based on the premise that labor rights in Mexico were not adequately enforced or rigorous enough for a free trade pact with the United States. These two nation-based arguments pushed against two weaker currents in the anti-NAFTA mobilization which struggled toward a more transnational solution. First was international solidarity efforts that showcased innovative worker-to-worker meetings across borders and, on occasion, struggles for cross-border organizing. The fourth, and least prominent of the four arguments, was the promotion of an international body of labor rights and standards.

11. Stephen Fielding Diamond, "US Labor and North American Economic Integration," in Ricardo Grinspun and Maxwell A. Cameron, eds., *The Political Economy of North American Free Trade* (New York: St. Martin's Press, 1993), 253.

12. It is impossible to define exactly "who speaks for labor" in this research, but the materials studied here are primarily products of the mainstream of the US labor movement and its federation the AFL-CIO. Labor's various allies—intellectuals, coalition members, other NGOs—and important dissident unions have not been given as much attention as the approach here was to analyze the message being received by the majority of the rank and file. "Modes of discourse" is used because what is often put forth is not so much argumentation as it is the perpetuation of an ideology or a structure of labor's identity which may contain within it numerous specific arguments.

Considered as an aggregate response, these four approaches to the pact complicate the obvious fact that "labor opposed NAFTA" by revealing a complex multiplicity of discourses that were in uneasy balance with each other in the struggle against the trade deal. Each is analyzed in detail below.

II. The NAFTA Math of Job Losses

Although long-range solutions to the dilemmas of work in the changing world order will require some form of transnational solution, one of the fundamental obstacles to conceiving such a strategy, as Roger Southall has pointed out, is that workers in the advanced capitalist countries will "become increasingly obsessed by the loss of jobs imposed by the relocation of capital from core to third world sites." Occasional defensive struggles against capital migration such as governmental protection or wage and benefit concessions may offer some temporary relief in the short run, he argues, but "they are unlikely to halt the drift of jobs away from the centre to the periphery; this after all, is the very essence of the CIDL [changing international division of labor]."¹³ As if to confirm Southall's concerns, the *New York Times* proclaimed job losses to Mexico to be "the most potent political obstacle to Congressional approval" of the North American Free Trade Agreement and the mobilization of political action around the very real fear of job losses posed the central, and most problematic, dimension to labor's response to NAFTA.¹⁴

The job-loss discussion operated on two interconnected levels. The first was academic and legislative analyses which tried to predict the numbers of jobs that would be lost or gained under the agreement. Ironically, given the amount of energy and political wind expended on these calculations, the numbers never added up to a significant percentage of the jobs in the entire economy. The second, which permeated all aspects of the NAFTA discussion, was a more generalized, but equally powerful, image of the runaway shop which threatened to destroy the social fabric of US communities. The fact that jobs would be eliminated under the trade pact was beyond question, and the fact that placing the "lost jobs" tactic at the center of the campaign would release immense emotional and political energy was equally beyond question. While this strategy tapped into the basic anger and instincts of US workers, however, it diverted the discussion away from a

13. Roger Southall, "At Issue," in Southall, ed., *Trade Unions and the New Industrialization of the Third World* (Pittsburgh: University of Pittsburgh Press, 1988), 19.

14. *New York Times*, 17 February 1993.

more useful political agenda for the ongoing future of trade integration.

In proposing the extension of the Canada-US Free Trade Agreement to Mexico, the Bush administration predicted the creation of 175,000 jobs.¹⁵ The most commonly cited figure for both the Bush and Clinton administrations, however, settled on a much trumpeted 200,000 jobs to be gained over many years following the agreement. Some, such as Special Trade Representative Mickey Kantor, went so far as to turn the job loss argument on its head by claiming that the *defeat* of NAFTA would mean job losses of 400,000 because of falling exports to Mexico. The Clinton administration's "NAFTA math" as US Senator Carl Levin derisively called it, never added up, however, and came under sustained attack from both scholars and members of Congress. The credibility of pro-NAFTA economists' predictions was further weakened by the revelation that of one-hundred and fifty economists who went on record as supporting NAFTA, only nineteen could claim any familiarity with the contents of the agreement.¹⁶

The AFL-CIO Task Force on Trade countered the pro-NAFTA calculations with numerous studies that produced more traumatic numbers. Most frequently cited in the labor-oriented literature were the union-supported Economic Policy Institute figures that predicted losses of 550,000 jobs and a reduction of US GDP of \$36 billion in the ten years following the agreement, and a University of Massachusetts at Amherst study that showed 490,000 jobs to be eliminated in the US by the year 2000. Another frequently cited approach came from Pat Choate (later to align with Perot) and the Manufacturing Policy Project which identified all US manufacturers in the low to mid technology range which have a labor content equivalent to 20 to 30 percent of sales. The conclusion of this study was that all 5.9 million of these jobs should be considered "vulnerable" to relocation to Mexico.¹⁷

15. George Bush, *North American Free Trade Agreement with Mexico and Canada; Communication from the President of the United States Transmitting Notification of his intent to enter into a North American Free Trade Agreement with the governments of Mexico and Canada, pursuant to section 1103(a)(1) of the Omnibus Trade and Competitiveness Act of 1988* (Washington: GPO, 1992).

16. "Prepared Statement of Senator Dorgan," *NAFTA Job Claims: Truth in Statistics*, p.6; See also, James M. Cypher, "The Ideology of Economic Science in the Selling of NAFTA: The Political Economy of Elite Decision Making," paper presented to the International Conference on the North American Free Trade Agreement, Centro de Estudios Economia Teoria y Practica, Mexico, D.F., 17-19 March 1993; and William E. Spriggs and James Stanford, "Economists' Assessments of the Likely Employment and Wage Effects of the North American Free Trade Agreement," *Hofstra Labor Law Journal* 10(Spring 1993): 495-536.

17. See AFL-CIO Task Force on Trade, "North American Free Trade Negotiations, The Jobs Debate: Fiction & Reality" (#21) (Washington: AFL-CIO, 1992), "North American Free

While traumatic and horribly real to the individuals who would lose their jobs, the number of employment opportunities lost or gained in either the pro or anti-NAFTA positions represented very little in terms of annual employment fluctuations. When anti-NAFTA economist James Stanford attempted to rectify the most egregious errors of the economic models on both sides of the NAFTA fight by building more "realistic" assumptions into his model, he found that the maximum dislocation of US workers as a direct consequence of the agreement would only be 0.43 percent of the work force. Stanford's model building leads one to conclusions similar to Republican Senator Steve Symms, who claimed that the jobs argument was basically peripheral to the NAFTA debate. "Most of the neutral studies," he argued, "put the loss of jobs around 175,000, and the gain of jobs from this at around 325,000. But when you compare that with an 86 million work force in place today, it just does not seem like that argument is substantial."¹⁸ Clearly it was not absolute numbers that the anti-NAFTA forces were concerned with, but instead, the placing of economic uncertainty and fear over the future of the economy at the center of the debate.

Thus the second part of the jobs loss discourse highlighted the more abstract imagery of the runaway shop and generalized notions of job losses. The United Food and Commercial Workers' flyer claimed "A US-Mexico Free Trade Agreement will encourage food processing companies to move south of the border." The United Auto Workers opposed NAFTA "because

Trade Agreement, The Jobs Debate: Part II" (#22) (Washington: AFL-CIO, 1993). Cited are Geoffrey Faux and William Spriggs. "U.S. Jobs and the Mexico Trade Proposal" (Washington: Economic Policy Institute, 1991); Timothy Koehlin, Mehrene Larudee, Samuel Bowles, and Gerald Epstein, "Effect of the North American Free Trade Agreement on Investment, Employment and Wages in Mexico and the U.S." (Amherst: University of Massachusetts, 1992); see also Pat Choate, "Jobs at Risk: Vulnerable US Industries and Jobs Under NAFTA" (Amherst: The Manufacturing Policy Project, April 1993). Although the Bush administration provided its own figures, probably the most frequently cited pro-NAFTA job figures came from two studies by Gary Clyde Hufbauer and Jeffrey J. Schott, *North American Free Trade: Issues and Recommendations* (Washington: Institute for International Economics, 1992) and *NAFTA: An Assessment* (Washington: Institute for International Economics, 1993). When Hufbauer and Schott lowered their estimates of job creation by tens of thousands of jobs in the interim between their two studies, the AFL-CIO seized the opportunity to show the lack of objectivity and careful research going into the pro-NAFTA argument. Similarly, when the International Trade Commission released figures from research originally designed to calm fears around NAFTA, it was a big boon to the jobs loss debate. The February 1993 ITC report concluded that the agreement would create only 35,000 to 93,500 US jobs by 1995 which would barely mask the loss of positions under the agreement.

18. *North American Free Trade Agreement*, Hearings before the Committee on Finance, United States Senate, 102nd Congress, 2nd session, "On Labor Issues, Business and Labor Views, and Agriculture and Energy Issues Concerning NAFTA," September 8, 10, 22, and 30, 1992 (Washington: GPO, 1993), 115.

it does nothing to stop US companies from closing plants in this county and moving production to Mexico." The International Union of Electrical Workers' banner proclaimed "TUE says STOP Bush's Mexico Trade Deal: Save US Jobs." The AFL-CIO, argued against the "job-gutting Mexican trade pact" which would "drain many thousands more US jobs across the border and exploit the poverty wages of Mexican workers."¹⁹ Unions brought these abstractions down to a concrete level in their literature as the International Brotherhood of Electrical Workers (IBEW) and the Amalgamated Clothing and Textile Workers Union (ACTWU), for instance, published all of the names of their factories that had moved to Mexico and the numbers of members displaced by the runaway plants. Similarly, the AFL-CIO included a lengthy listing of jobs lost to Mexico with a map of the US superimposed over the litany of job losses and capital flight.²⁰

The difficulties involved in delineating allies from enemies in the job-loss approach to globalization can be found in the example of the Teamsters, whose organization regained an exciting hold on the labor movement through the success of the insurgent Teamsters for a Democratic Union (TDU) and their new President Ron Carey. Taking to the road with projects such as the truck caravan dubbed the "Economic Earthquake Express" (including a stage constructed on a forty-eight foot flatbed trailer and video viewing area constructed on another truck), the mobile campaign delivered the anti-NAFTA message across the country. Holding rallies, and visiting factories, shopping malls, and city halls to warn people about the perils of NAFTA, the Teamsters built a strong movement-style opposition to the free trade initiative.

An ambivalent example of labor's anti-NAFTA discourse is a Teamster leaflet headlined, "This worker for a US company in Mexico makes \$4 per day . . . Big US Corporations are threatening America's working people. 'Either take big cuts in pay and benefits,' they say, 'or we'll move your job to Mexico.'" The leaflet is not directly about NAFTA, but actually part of a campaign to elect Bill Clinton. Pictured on the other side of a wire fence is a young, able-bodied, Mexican worker staring across at the reader. The

19. Statement of Segundo Mercado-Llorens of UFCW, *North American Free Trade Agreement: American Jobs and Environmental Protection*, Hearing Before the Subcommittees on International Economic Policy and Trade and on Western Hemisphere Affairs of the Committee on Foreign Affairs House of Representatives 102d Cong. 1st sess., (December 9, 1991); "UAW Legislative Fact Sheet on NAFTA" mimeo, n.d.; *AFL-CIO News*, 8 December 1992; *AFL-CIO News*, 9 September 1992.

20. *AFL-CIO News*, 29 April 1991; IBEW, "Examples of IBEW Job Loss to Mexico" mimeo, n.d.

subtext of the red, white and blue leaflet seems to imply that this is the man who may take your job if NAFTA is successfully implemented. In an ironic twist of political stratagem then, the Mexican worker appears as the US worker's enemy, while (pro-NAFTA) Bill Clinton is presumably the US worker's ally.²¹

The Teamsters' example suggests how, rather than generating understanding and shared political space between the workers of different countries, the emphasis on job losses tended to make Mexicans the enemy of the US worker. This approach exacts a future price in terms of relations with Mexican (and other nations') workers by pitting wage earner against wage earner. Mexicans want the same jobs US unions are trying to defend, so the line of argument contains both an implicit demand for protection and a denial of jobs to Mexican workers in what appears to be a zero-sum game of global employment. The "jobs argument" simply did not function in a way that transcends borders (as capital has already done) and actually reinforced the cultural and economic usefulness of political boundaries for transnational corporations by deepening the political and economic divisions in the labor market. Domestically, this tactic might further serve to immobilize any worker who feared for the future of her or his job as quiescence became the price of maintaining an employment commitment to a given community. Moreover, mobilization around job protection never addressed the fundamental issue, a worker's proprietary right to a job, while it diverted attention away from the more important issues that could offer connections to workers of all nations: the types and quality of jobs, working conditions, and community life to be had under a regime that sought economic integration but social segmentation.

The "jobs body count" approach also reinforced the notion that trade with Mexico was a yes or no choice, rather than fostering a more productive discussion over the terms and structures under which a socially responsible trade regime might be implemented. Under the pre-NAFTA regime, jobs were not protected at all as capital had been migrating to Mexico at an accelerating rate over the past twenty years. Domestically, therefore, while the argument tapped into a deep reservoir of anger and anxiety, it failed to engender a productive discussion about the quality and direction of working life in the United States. At best it might have rallied enough energy to kill the agreement in order to return to fight for a socially responsible trade integration framework another day. But when activists turned around to

21. International Brotherhood of Teamsters, "This worker for a US company in Mexico makes \$4 per day," leaflet, n.d.

reconstitute the fight in the event they had actually defeated the agreement, they might have found their task all the more difficult as a provincial, even nationalist, sentiment had already been marshaled against the transnational economy. The domestic failings aside, internationally the argument clearly was not designed for a Mexican audience. Any Latin American reading or observing such arguments could readily conclude that "rich" *norteamericanos* had little concern outside of their own borders and that their approach was fundamentally protectionist in nature. Indeed, it is painfully ironic that the 42,221 jobs documented by the Department of Labor as being lost to Mexico since the trade pact began is minuscule in comparison to the devastation among small-scale agriculture and larger urban producers that have lost hundreds of thousands of jobs south of the Rio Grande since the signing of NAFTA.²²

III. The Singular Oppression of Mexican Workers

After the jobs loss approach, one of the largest and certainly most seductive modes of argumentation used against the trade agreement was based on the stereotype of the "oppressed Mexican worker." This tactic frequently posed the maquiladora sector as the future of Mexican labor relations should the trade agreement pass, while often ignoring the fact that most of the export-processing jobs were created or moved there long before the formal trade agreement was ever proposed (and would have undoubtedly continued without it). Most importantly, this argument almost always neglected the level of labor rights suppression taking place in the United States, while emphasizing the horrible lack of rights in Mexico.

One extended example that captures much of this strategy comes from an issue of the *IBEW Journal* which offers a "typical" description of labor relations in the maquila zone:

A large company fires its entire work force, eliminates the union contract, then rehires the workers at far-inferior wages. When the workers try to win the right to elect their local union leaders and assert their right to legally mandated benefits, they suffer kidnappings and beatings at the hands of the company and their union. Appeals to legal authorities and to the official labor board offer no redress; these agencies, the union and the company work together to suppress workers' legal rights and to increase profits for each other.²³

Although the writer used this anecdote accurately to describe a scenario in

22. Wayne Cornelius, "NAFTA Costs Mexico More Job Losses Than the U.S." *New York Times*, 17 October 1995.

23. "Corporations Profit From Labor-Rights Suppression in Mexico," *IBEW Journal* (May 1993): 38-39.

Mexico, numerous aspects of it could just as easily have been applied to a variety of conflicts within the United States—including the Hormel strike in Minnesota, a battle during the TDU struggle, the PATCO crisis, anyone of a dozen textile mills in the US South, Frank Lorenzo's restructuring and firing of union workers at Continental airlines or possibly even the tragic fire at the Hamlet poultry plant in North Carolina. Instead of building a foundation of mutual needs and shared problems between Mexican and US workers, most of this discourse is not so much technically wrong, as much as it creates a one-dimensional image of Mexican labor based on the smug—and wrong—assumption that workers in the United States possess an unrestricted right to organize and bargain collectively. On the level of praxis, the writings of labor intellectuals and academics fail if they seek international solidarity through heroics or condescension rather than a clear vision of the complex needs of workers and labor movements in *all* countries—including the United States—facing massive structural upheavals.²⁴

An article in the *UAW Washington Report* complicates this problem even further. The "brutal" suppression of labor rights, the piece argues, "gives Mexico and multinational companies operating in Mexico an unfair competitive advantage."²⁵ For Mexican workers—or even liberals in the United States that might weigh their sympathies more heavily in favor of Mexican economic progress than in favor of US organized labor—this approach smacks of further pleas for protection of US unions' allegedly "narrow" interests rather than genuine concern for Mexican labor rights. Of course labor's interests are not narrow as wages and working conditions must be taken out of international competition if a reasonable social structure is to emerge out of the changing world order; the question is, however, what are the appropriate political and rhetorical strategies for achieving this goal? To portray Mexican labor as the black sheep of international workers' movements, while the silent other that stands in judgment presumably possesses a movement that is universally respected, strong, and free of government interference, will not lay the groundwork for a vision that can rise to meet the immense difficulties of the task at hand. In essence, we must ask why the US labor movement in one context—that of domestic politics—is admittedly bullied and marginalized, but in another context—international affairs—is it held up as the model of "free" trade unionism?

As two Mexican scholars, Moncayo and Delarbre, argue, labor in

24. See, for instance, David Barkin's critique of US labor intellectuals perspectives on Mexican labor in his "A Constructive Strategy for Free Trade," *Review of Radical Political Economics* 25(1993):135.

25. "Mexico Continues to Abuse Workers' Rights," *UAW Washington Report* 33(July 1993): 1; see also the UAW's "Ammo" pamphlet *Not This NAFTA*, 12, n.d.

Mexico should have played a more active role in the NAFTA debate rather than waffling from "acritical hope to cathartic lack of confidence." Such internal criticisms do not, however, allow US and Canadian unionists to engage in blanket assaults on Mexican labor institutions. These two progressive NAFTA advocates suggest that "North Americans" must avoid "an authoritarian posture" toward Mexico which serves to undermine and criticize their political and legal institutions "not on the basis of experience and concrete evidence," they argue, "but on the basis of prejudices." Instead of solidarity, these two authors conclude that US labor's efforts to portray Mexican workers in the NAFTA campaign bordered on "a type of verbal terrorism" with "little analytical basis."²⁶ The harshness with which these scholars have rebuked the US response to NAFTA suggests very different national concerns about entering into the trade deal. Anthropologist María Patricia Fernández-Kelly aptly captured this tension by pointing out that Ross Perot's "giant sucking sound to the south" had its counterpart in Mexico—"the giant gulping sound to the north"—as Mexican's feared that their economic, social, and cultural identity would be further absorbed into the US economic colossus.²⁷

In reality, the decision by Mexican unions to back or fight the trade agreement did depend upon their relationship to the state. As expected, the official unions—whose approximately six million members constitute 80 percent of total union membership—aligned with the ruling PRI (Institutional Revolutionary Party) and endorsed the agreement in the summer of 1991. These labor organizations were inheritors of power from the revolutionary era when government brought labor into the state machinery as part of a "social pact" in which alliance with the state created both the source of organized labor's tremendous historical power and legitimacy while simultaneously defining the very real limits of its autonomy.²⁸ Given their close ties to the ruling party and the considerably weakened position of labor leaders after the austerity of the 1980s, Mexican labor's endorsement of the trade deal came as no surprise. Although many in the US argued that the labor organizations' acceptance of the pact proved Mexican labor's victim-

26. Pablo Pascual Moncayo and Raúl Trejo Delarbre, *Los Sindicatos Mexicanos Ante el TLC* (Mexico: Sindicato Nacional de Trabajadores de la Educacion/Instituto Para Transicion Democratica, 1993), 74–75.

27. M. Patricia Fernández-Kelly, "Labor Force Recomposition and Industrial Restructuring in Electronics: Implications for Free Trade," *Hofstra Labor Law Journal* 10(Spring 1993): 620.

28. Kevin J. Middlebrook, "State-Labor Relations in Mexico: The Changing Economic and Political Context" in Middlebrook, ed., *Unions, Workers, and the State in Mexico* (San Diego: Center for US-Mexican Studies, 1991), 3–15; and Middlebrook, *The Paradox of Revolution: Labor, The State, and Authoritarianism in Mexico* (Baltimore: Johns Hopkins, 1995).

ization by an authoritarian government, NAFTA had the support of 66 percent of the Mexican people—although 52 percent felt that the US would benefit more than Mexico from the deal.²⁹

In contrast to the Mexican supporters of NAFTA, the 12 percent of union membership that opposed the government also opposed the trade agreement.³⁰ These unions emphasized not so much the rejection of the agreement but the need for taking labor and other NGOs into the discussions. Using the Canadian experience under the US-Canada trade agreement as the harbinger for their future, the unionists pointed to the protectionism of the United States, the impact on Canadian workers under their agreement with the US, the closing of small and medium business which could not compete with US goods, and the pressure on the social security system that would result from the trade pact. Hundreds of representatives of various NGOs and labor organizations eventually came together as the *Red Mexicana de Acción Frente al Libre Comercio* (RMALC) to write the Zacatecas agreement with substantial Canadian and some US labor participation. However, with the notable exception of energetic efforts by RMALC, as Enrique de la Garza concludes, "labor mobilization regarding NAFTA was scant."³¹

What opposition there was from official corners centered on the preservation of Mexico's sophisticated labor law and therefore the vast majority of labor institutions in the country. As in Canada, downward harmonization to US-style labor law remained a real and frightening possibility. As a union representative stated to Mexican television after a meeting between the Labor Congress and Secretary of Commerce and Industrial Development Jaime Serra Puche, "As a representative of the workers, we were very interested in preventing any sort of reforms to our laws, as far as possible, as we consider them to be the best in the world, and which other countries have acknowledged."³² Faced with withering influence within the government, most Mexican unions dedicated their power and resources to defending their institutions and contracts with a myopic blend of nationalism and faith in the government. Fidel Velázquez, the nonagenarian leader of the CTM, argued that labor "supported NAFTA unconditionally . . . because the federal government will respect the rights of the workers" while he must have quietly

29. Enrique de la Garza Toledo, "Mexican Labor Unions Facing the Free Trade Agreement" unpublished paper, Universidad Autónoma Metropolitana, 9.

30. The remaining 8 percent are company-sponsored "white" unions which do not participate in politics.

31. de la Garza, "Mexican Labor Unions," 19.

32. "NAFTA Not to Affect Mexican Labor Laws," Mexico City Canal 13 Televisión 1300 GMT, 20 August 1992 (FBIS-LAT-92-163).

hoped that economic growth would liberate labor from the restrictions of the Economic Stability and Growth pacts entered into during the economic crisis. Finally, while Mexican dissidents took the lead toward a transnational agenda, *officialistas* continued to balk at any sort of trinational labor platform that might threaten to undermine what little domestic authority they retained or might hope to regain.³³

As Maria Cook has summarized, the trend in Mexico has actually been away from centralized labor institutions and toward a general pattern of "deinstitutionalization." This process includes the weakening of national bargaining institutions, such as the National Minimum Wage Commission; the circumvention or possible elimination of national labor laws; and the weakening of labor's strength and presence within the ruling party. By "disrupting and altering the political and economic context in which trade unions have traditionally operated," she suggests, "NAFTA may create new opportunities for trade union organization and activism in Mexico."³⁴ Yet it is often speculated that the governmental support that remains for unions is a product of labor's support for trade liberalization itself. Thus the politics of labor and free trade in Mexico push toward forestalling legal and institutional reforms that have historically guaranteed labor a place within the authoritarian regime, yet that very system of governance itself is simultaneously undergoing its most profound changes since the 1930s.

The true failure of blaming other countries' labor movements for insufficient labor-institutions can perhaps best be appreciated by observing the fingers being pointed in the other direction. The largest official Mexican federation, the CTM, rejected the formation of a supranational body to monitor labor rights arguing that their laws are "superior and federally valid, whereas in the neighboring country it is a conglomerate of local laws." To bring Mexican law in harmony with the other two countries, suggested the leadership of the CTM, "would be inexplicable because ours prescribes better conditions for the workers."³⁵ While technically accurate, the CTM's primary concern centered on national sovereignty and, like the AFL-CIO, its own institutional survival, but it is nonetheless a poignant example of the failings involved in seeking the moral high ground—as opposed to the complex historical and political reality—when comparing labor movements in-

33. Moncayo and Delarbre, *Los Sindicatos*, 20–21.

34. Maria Lorena Cook, "Mexican State-Labor Relations and the Political Implications of Free Trade," *Latin American Perspectives* 22(Winter 1995): 86.

35. Adrian Tejo, "CTM Rejects Formation of Commission to Supervise Compliance With Parallel Agreements," 3 June 1993 draft of an article for the *Economist* distributed in mimeo by the AFL-CIO.

ternationally. Similarly, Canadians pointed to their experience under the original Canada-US Free Trade Agreement in which the US South acted as a cheap-labor haven for Canadian jobs—essentially making Dixie into a rhetorical maquiladora zone for Canadian unionists.³⁶ Clearly, when workers in all countries face parallel struggles, any position that explicitly or implicitly stakes out the US labor movement as a norm or seeks to single out other countries' weaknesses will fail to foster transnational dialogue as wage earners are increasingly squeezed into the same labor market.

IV. Cross-Border Solidarity

Despite the material, ideological, and political barriers that separate Mexican and US labor movements, cross-border links provided some of the most rewarding and enlightening moments in the struggle against both NAFTA and the broader trend of North-South trade integration. Examples of cross-border visits, rallies, seminars, conferences, information exchanges, and even organizing efforts were increasingly evident throughout all sectors of the labor movement during the anti-NAFTA campaign. At worst, labor transnationalism only confirmed US labor's preconceptions of Mexican workers and their conditions—situations that visitors knew would just get worse under NAFTA. At best, however, cross-border solidarity opened up tremendous political and social opportunities for labor in the global economy. Many agree that these efforts and the coalitions of labor, human rights, and environmental groups accompanying them are blazing the way for the future of social change in North America.³⁷

For example, Raúl Márquez, the Mexican leader of the dissident Authentic Workers Front (Frente Auténtico de los Trabajadores or FAT), told a Teamster rally, "We don't want to be used as international scabs. We want to work with you to win good jobs for everyone . . . They don't want to raise our wages in Mexico. They want to lower yours."³⁸ Similarly, the small but

36. Jim Stanford, in *Canada Under Free Trade* (Toronto: J. Lorimer, 1993), 153; see also Bruce Campbell, "Restructuring the Economy: Canada into the Free Trade Era," in *The Political Economy of North American Free Trade*, Ricardo Grinspun and Maxwell A. Cameron, eds. (New York: St. Martin's Press, 1993), 98–99.

37. For a critical but supportive reflection on coalitions and NAFTA, see Rand Wilson, Massachusetts Director of Jobs with Justice, "Winning Lessons from the NAFTA Loss," *Labor Research Review* 22(1994): 29–37; see also the variety of experiences in Jeremy Brecher and Tim Costello, eds., *Building Bridges: the Emerging Grassroots Coalition of Labor and Community* (New York: Monthly Review Press, 1993).

38. "Mexican Labor Leader Joins Teamster Caravan," *The New Teamster* (December 1992): 6.

creatively militant United Electrical Workers (UE) responded to the erosion of its members' jobs by launching an "adopt an organizer" program with their sister union, the FAT. This program offers assistance in organizing plants on the Mexican side while the UE continued to pursue plants in the US. In another case, when the Green Giant plant moved from Watsonville to Irapuato, the Teamsters uncovered where they moved the plant and forged links with their Mexican counterparts. The results of the campaign were extended training benefits for the displaced Watsonville workers and an agreement with Green Giant to build a waste treatment plant to take care of the polluted water in Irapuato. Such alliances have their parallels in the Farm Labor Organizing Committee's (FLOC) transnational project to help organize Campbell's farm workers, the United Auto Workers Local 879's dramatic building of the MEXUSCAN trinational coalition in solidarity with the struggle of Mexican workers at Ford-Cuatitlán, and the cross-border organizing seminars sponsored by *Labor Notes*. The majority of these acts of international solidarity rose out of the independent and dissident labor unions in the US and Mexico but could conceivably develop adequate momentum to break through from the periphery to the mainstream of the labor movements on both sides of the border.³⁹

Obstacles to official connections between the Mexican, US and Canadian federations, however, remain large. Despite official ties of some historical depth, the AFL-CIO has not had success in moving toward a common alliance with the CTM. The maquiladora sector, the most important area to US unionists, has remained a point of frustrating contention between the two national labor federations since the CTM, in partnership with the official state party, the PRI, has generally sought the growth of the maquiladora program. Expansion of the export processing sector serves both the Mexican labor federation's own institutional strength and the Mexican economy, but such growth is often carried out through highly repressive tactics in an attempt to maintain industrial peace and foster the program's growth. As Harry Browne and Beth Simms have argued, however,

There is not necessarily a contradiction between [CTM leader Fidel] Velázquez' commitments to organize the maquiladoras and to promote the industry. The maquiladora program competes directly with low-wage export-processing zones around

39. Kim Moody and Mary McGinn, *Unions and Free Trade* (Detroit: Labor Notes, 1992); Tom Laney, "Step-by-Step" mimeo describing MEXUSCAN efforts in *Labor Note's* "Free Trade Organizer's Packet" (Detroit: Labor Notes, n.d.); for a sober analysis of these efforts see Barry Carr, "Labor Internationalism in the Era of NAFTA: Past and Present," *Latin American Studies Occasional Papers* #14 (Miami: Center for Labor Research and Studies, Florida International University, 1995).

the globe, and one of the principal arenas of competition is the stability of the work force. Attracting investors means controlling worker activism, and the most direct way the CTM and other official unions can do that is to organize workers under their own banners. Accounts abound of the efficiency with which official unions perform this function.⁴⁰

Whether the CTM organizes maquila workers into democratic unions or not, the choice for the AFL-CIO has been between working slowly toward some sort of arrangement with the state-oriented CTM or embracing the small, and relatively weak, independent movements in Mexico. After being obedient foot soldiers in the Cold War, US unions are chary to engage in the left-wing politics of the non-official unions in Mexico. In addition, the AFL-CIO has its own power base to consider. As one observer noted, "As soon as you start dealing with non-official labor unions in other countries, you open it up to their dealing with non-official bodies in this country."⁴¹

While attempts to forge official linkages still remain rare, a more common type of cross-border solidarity is a series of maquiladora tours organized locally throughout the country on the part of US workers, and less frequently, tours of the US by Mexican workers. The results are usually emotional revelations about US workers' privileged status in the global economy, as well as a renewed faith in both international solidarity and the humanity of Mexican workers. When a Tennessee delegation from ACTWU went down to meet their counterparts and to see where many of their jobs had migrated, the response was revulsion at "the shacks, sitting in muddy water. No sewers. Trash." On another trip, a Steelworker from Milwaukee responded similarly to the squalor of the maquila zone, "I was heartsick," she exclaimed, "It was nothing I ever anticipated." A response to maquiladora tours echoed throughout the literature on the subject was to try to kill the agreement because, as another steelworker said, "It would expand the situation of the maquiladoras to all parts of Mexico."⁴² Yet the border area, while grossly underregulated and an environmentally-troubled zone, boasts the highest employment rates in the country.

Although the dominant response is often disgust at living conditions in the border zone and a glimpse of the post-NAFTA future, some visiting workers came away with a more subtle perspective on labor internationalism. "Like human beings, they want to make a decent wage where they can

40. Harry Brown and Beth Sims, "Global Capitalism, Global Unionism," *The Resource Center Bulletin* (Winter 1993).

41. Quote is from an "academic observer" quoted in Browne and Sims, "Global Capitalism."

42. "Unionists See NAFTA's Danger," *Steellabor* 58(May/June 1993): 10-11.

have a decent living," recalled a shop steward from Tennessee, "I think they are proud to have jobs. And I think they kind of fear, too, that we have the attitude that they're taking our jobs away. And I guess most Americans do! I'd say the majority of them, to be honest. The Mexican workers have that to fear. But all in all, I think they'd like to unite and be a coalition, and do something about the standards."⁴³ After touring and studying labor conditions in Ciudad Juárez, a labor-newspaper editor went so far as to reverse the "oppressed Mexican worker" argument by suggesting that US workers had much to learn from their counterparts in Mexico. "After seeing how they persevere in the face of far more difficult obstacles than we face, and after seeing some of the creative solutions to organizing problems they have come up with," she reflected after her trip, "I think [Mexican workers] can teach us a lot that will be useful in reinvigorating the labor movement and organizing the unorganized in this country."⁴⁴

One successful transnational response by the AFL-CIO that involves corporate campaign tactics, links with other social movements, and cross-border solidarity has been its involvement with the Coalition for Justice in the Maquiladoras (CJM). Pushing corporate campaigns against the worst violators of labor and environmental standards, publicizing problems with toxic chemicals, bringing political and media figures into the border zone, supporting worker-to-worker actions, and writing and publicizing the CJM "Code of Conduct for the Maquiladoras" are only some of the Coalition's concerns and actions. The Code of Conduct has served as an organizational point for minimum standards for both local or transnational corporations operating in any of the three countries. The CJM is able to circumvent possible antagonisms between the CTM and the AFL-CIO by linking up loosely with various organizations rather than making official ties with groups that may be in opposition to the official Mexican federation.

International solidarity in all forms is certainly one of the most impressive and exciting approaches to the challenges of free trade. It consciously struggles to overcome US labor's privileged past, it brings the reality of a certain level of shared common identity to workers internationally, and it builds the groundwork to do for labor what capital has already successfully done: gone global. It is not, however, without problems. "Why, all of a

43. Interview with shop steward Luvernel Clark from Knoxville in David Brooks, "Search for Counterparts: A Labor-Community Agenda Must Cross Borders as Well," *Labor Research Review* 19(1992): 91-93.

44. Comments of Barb Kucera of the St. Paul, MN *Union Advocate* quoted in the Minneapolis-based Resource Center of the Americas' *Labor Report on the Americas* 4(January-February 1994): 2.

sudden are you calling us 'brothers'?" asked one Mexican trade union leader of his US audience, "Is it because today you realize you need us, because you are about to lose your jobs—perhaps even your unions—and because we stand to gain from your loss? Where have you been for the past 40 years when many times we were in need of you?"⁴⁵

Clearly only a small percentage of workers will ever have the opportunity to come into immediate contact with their "other" while the rest must depend upon accounts of such activities in the labor press. The most ambitious campaign for cross-border solidarity therefore must be, at best, a partial solution. Indeed, as historians such as Barry Carr and Harvey Levenstein remind us, labor internationalism has a deep history that makes plain, on the one hand, the rich rewards of cross-border connections, and, on the other hand, the countless difficulties for meaningful exchange, and the ease with which such linkages can devolve into perfunctory officialdom or be easily manipulated by the dominant power. As Levenstein wrote in 1971, connections between US and Mexican labor organizations were historically "either accepted as a given, and therefore not even mentioned, or relegated to the realm of platitudinous oratory. This is understandable, for the ideal itself, *separated from specific interests*, becomes almost inoperative."⁴⁶

V. International Labor Rights

Least used of the four discursive themes uncovered in labor's response to NAFTA is the call for international labor standards which would elevate regulatory mechanisms to the same transnational plane inhabited by capital. Supranational rights and standards, or more lofty goals such as a continental social charter, were often discussed as something that was needed *in the abstract* in labor's anti-NAFTA struggles, but frighteningly little mobilization ever emerged around the issue and few alternatives to the form and content of the North American Free Trade Agreement surfaced. What is intriguing about an active approach to placing labor rights at the core of the debate is its unique characteristic of having *potential* appeal to workers in all countries. All workers, in theory, would like minimum working conditions, adequate wages, a safe and healthy working environment, and guarantees of fundamental labor law such as the rights to strike and bargain

45. Brooks, "Search for Counterparts," 83.

46. Emphasis added. Harvey Levenstein, *Labor Organizations in the United States and Mexico: A History of Their Relations* (Westport: Greenwood, 1971), 5; Barry Carr, "Labor Internationalism."

collectively; it is one of the few points of possible commonality between national labor movements forced to compete for the same jobs.

Throughout the 1980s, the US Congress made eligibility for the extension of trade benefits contingent upon other countries' compliance with basic labor laws—including the rights to organize and to bargain collectively. When Presidential Candidate Bill Clinton announced his support for NAFTA in October of 1992, he did so contingent upon the negotiation of labor and environmental side accords that included "easy access to the courts, public hearings, the right to present evidence, streamlined procedures and effective remedies" to violations, indicating that the linkage between labor rights and trade liberalization would continue.⁴⁷ In early 1993, the AFL-CIO and its allies renewed its historically unsuccessful commitment to the International Labour Organization's (ILO) conventions—especially numbers 87 and 98 covering the freedom of association, protection of the right to organize, and the right to bargain collectively—and recommended them as a framework for negotiating the side accords advocated by the new President.⁴⁸ With little mobilization around the idea of international labor rights, the resulting labor side accord to NAFTA failed to cover the essentials of labor law, and the aspects of work which were covered lacked meaningful enforcement mechanisms.⁴⁹

Another model organized labor frequently suggested for labor rights was the set of sophisticated and stringent safeguards already in the pact for the protection of intellectual property rights. While the agreement lacks provisions guaranteeing freedom of association and the right to bargain collectively which supporters of the deal regarded as an infringement on national sovereignty, the pact's intellectual property rights require that nego-

47. Bill Clinton, "Expanding Trade and Creating American Jobs," mimeo of speech given at North Carolina State University, Raleigh, 4 October 1992, Little Rock: National Campaign Headquarters, 14.

48. The AFL-CIO and the International Labor Rights Education and Research Fund both pushed for Conventions 87 and 98, plus Conventions 105 (forced labor), 155 and 170 (occupational health and safety), 138 (child labor), 100 and 111 (equal remuneration and nondiscrimination); the AFL-CIO also called for limitations on hours of work (ILO Recommendation 116), and Minimum Wages, (ILO Conventions 95 and 131). See AFL-CIO Discussion Paper, "Labor Rights and Standards and NAFTA" (Washington: AFL-CIO, February 1993); and Pharis Harvey, "Protecting Labor Rights in Connection with North American Free Trade" mimeo based on legislative testimony before the House of Representatives (Washington: ILRERF, March 1993); see also Richard Rothstein, "Setting the Standard: International Labor Rights and US Trade Policy," Briefing Paper of the Economic Policy Institute (Washington: EPI, March 1993).

49. Jefferson Cowie and John D. French, "NAFTA's Labor Side Accord: A Textual Analysis," a special pullout section of *Latin American News* 9(1994).

tiated standards become part of each country's domestic law, that any interested party can pursue complaints of violations, and that any goods in violation of the agreement can be stopped right at the border if manufactured in violation of the rules. As then AFL-CIO Secretary-Treasurer Thomas R. Donahue eloquently argued, negotiators set up a dual track in the agreement that protects one form of labor but not another. When supporters of the agreement bring out the national sovereignty argument, he suggested, "please ask them to explain why invention, a labor of the mind, should be considered more sacrosanct than the labor accomplished by the sweat of the brow."⁵⁰

Despite expressions of interest and even urgent pleas for international labor standards, there was precious little dialogue with the rank and file over the issue and few points of mobilization. For instance, an article in the *AFL-CIO News* entitled, "Labor Insists Worker Rights Key to World Economy," described meetings between labor leaders, the IMF, and the World Bank. "We define ourselves as internationalists," explained Secretary-Treasurer Thomas R. Donahue, "We believe that the destiny of workers in Pittsburgh and Los Angeles is linked to the workers in Mexico City and Toronto and Buenos Aires, and indeed to those in Prague and Lusaka as well."⁵¹ Yet the distance between such lofty rhetoric and political mobilization remained great as the labor leader directed his message at the Bretton Woods elite rather than the rank and file. While international standards are beginning to drift into the discourse of the labor intelligentsia, there have been no broad-based appeals for labor standards, little attempt to inform workers about supra-national agencies, and not surprisingly, no protest signs demanding international rights and standards.

Although many US labor activists attended the Zacatecas meeting in Mexico where important and ambitious alternatives to NAFTA were sketched out, there was almost nothing advanced in the United States that could be readily recognized as a socially-responsible alternative framework for North American trade integration.⁵² One of the reasons for this failure is

50. Statement of Thomas R. Donahue before the Senate Commerce, Science and Transportation Committee on the North American Free Trade Agreement, 6 May 1993, AFL-CIO mimeo, 4-5.

51. *AFL-CIO News*, 7 December 1992.

52. The closest possibility was when many NGO leaders and unionist came together as the Alliance for Responsible Trade (ART formerly MODTLE) in Washington to write the "US Citizen's Analysis of the North American Free Trade Agreement" in December of 1992 which, although not an alternative framework for integration, offered a detailed criticism of the trade pact that pointed toward many useful suggestions for improving the pact. Also see the Labor Advisory Committee for Trade Negotiations and Trade Policy on the North American Free

that problems with international labor standards still remain numerous. They tend to leave matters in the hands of experts and bureaucrats, they are typically a distant abstraction to the rank and file, and most of all, reliable enforcement mechanisms for international laws and regulations remain elusive.⁵³ At this point, however, compliance issues are less complicated than the CTM's opposition to them, general foot dragging by the AFL-CIO, historical resistance by the US government to standards such as those proposed by the International Labour Organization, and the portrayal of trade integration as a yes-or-no proposition rather than an open-ended project.⁵⁴ Had the political discussion surrounding NAFTA been centered on alternatives rather than deepening the yes-or-no decision locked in place by the Fast Track process, perhaps the Labor Side Accord might have been a more usable document.

Most problematic, the linkage of labor rights and trade—particularly in the politically charged North-South context—is always open to accusations of protectionism and coercion. Labor activists in developing countries trying to attract jobs and development can, to First World ears, sound like the same multinational investors or pro-free trade politicians that they are trying to defeat. But from the Southern perspective, the relocation of regulations from the state to an international body would leave less-developed countries vulnerable to unilateral action from powerful actors like the US who wish to check the use of less-expensive labor. Unemployment and the erosion of labor standards in the United States is a product of countless economic and political pressures that go far beyond the relocation of production to other countries, these Third World critics contend, and should not be blamed on workers in the developing world. In this regard, a complaint working its way through the NAFTA Side Accord mechanisms from the Mexican communication workers against labor practices by Sprint in the United States is very

Trade Agreement, "Preliminary Report" 16 September 1992 which, after a perfunctory gloss on labor rights, essentially sought to mold the entire agreement toward interests of US workers and to the exclusion of Mexican and Canadian workers.

53. See for instance, the critique of the European model in Manfred McDowell, "NAFTA and the EC 'Social Dimension,'" *Labor Studies Journal* 20(Spring 1995): 31–47; for an elaboration of the possibilities and obstacles surrounding a shared transnational agenda for the three national trade union federations see Scott Littlehale, "Creating a Social Dimension to North American Integration: the Trinational Politics of Social Clauses" unpublished paper presented at the IX Southern Labor Studies Conference, University of Texas at Austin, 26–29 October 1995.

54. CTM President Fidel Velázquez has proclaimed, "We won't accept any organization that is not national, not even the International Labour Organization. We agree in terms of the environment, because they [the US] are further along than us, but in the area of labor, here we have many means for recourse." *El Financiero*, 25 May 1993.

encouraging in that it serves to reverse the traditional power relationship by having the developing country spotlight abuses in the developed nation. Clearly, globally mobile capital requires some sort of similarly global regulatory system but it must be constructed in concert with activists and concerns from underdeveloped countries.⁵⁵

V. Conclusions for the Post-NAFTA Era

Reviewing the four components of the NAFTA fight suggests both cause for celebration and pause for reflection. While capital has long crossed borders with relative ease, the obstacles that block organized labor's path toward a similar transnational agenda have always been large, complicated and difficult to traverse. In facing the challenges, however, the labor movements in the United States and Canada went from retreat in the face of neoliberalism to near victory in the struggle against the trade pacts. Workers in all three countries experimented with new forms of coalition building, developed new political strategies and tactics, and most importantly, gained an awareness of the economic connections they had with other nation's workers. The dominant theme of each country's response to NAFTA, however, remained well behind transnational capital as it was limited largely to the socio-cultural and geopolitical boundaries of the nation state.

Turning a critical eye to labor in the United States, the political project against free trade failed not only to defeat the agreement (although it did come very close), but most importantly, it never generated sophisticated alternatives—or much in the way of political space to consider alternatives—to the economic and political process that was bent on integrating capital but not people.⁵⁶ The two major arguments marshaled against NAFTA—job losses and the lack of Mexican labor rights—proved to be a nationalistic diversion from constructing meaningful alternatives to the trade deal and often perpetuated chauvinistic notions about US workers' economic security and the level of labor rights enjoyed in the United States. Making the deepening fear over job losses into the overarching metaphor for globalization simply did not foster any alternative positions to global restructuring nor formulate specific ideas about what workers actually might favor. These two tactics also failed in the transnational arena where they

55. Lance Compa, "... And the Twain Shall Meet? A North-South Controversy Over Labor Rights and Trade," *Labor Research Review* 23(1995): 51–65; and Jon Pattee, "Sprint and the Shutdown of La Conexion Familiar," *Labor Research Review* 23(1995): 13–21.

56. See the similar efforts and conclusions in Wilson, "Winning Lessons," 35–37.

exacted a future price in terms of relations with Mexican workers as they tended to turn them into competitors rather than *compadres* in a common struggle. The other two discursive modes analyzed here, cross border solidarity and international labor rights, have been much more limited in their scope (so as to be invisible and inaudible to many workers) but nonetheless, if carefully done, suggest productive strategies for defusing the tensions fostered by global capital.

Events since the passage of the North American Free Trade Agreement, however, suggest that strategies with a more continent-wide appeal than those wielded during the NAFTA fight may be in the making. If Stephen Diamond was right that "the fundamental goal of many of [labor's strategies] during the NAFTA negotiations was to weigh down the discussion in order to stop the agreement from going forward—not to recognize the global and strategic context in which the free trade debate has inevitably emerged" then the end of that fight may provide for a more creative political space.⁵⁷ Indeed, there is mounting evidence that with the struggle to defeat the pact out of the way, important elements within the mainstream of the US labor movement have begun to turn to the issue of much greater urgency than the NAFTA vote itself: how to contend with the reality of a continental labor market which has been under silent construction for decades. The three post-NAFTA tactics briefly outlined below, while perhaps still quite fragmented and incipient, may be paving the way for the future of North American labor and, taken as an aggregate response, suggest grounds for hope for the future of national labor organizations caught in a transnational dilemma.

Reestablish Domestic Strength

Since globalization alone cannot be blamed for labor's weakness within national politics, few developments could be more important than the recent ferment at the national offices of the AFL-CIO.⁵⁸ Following the election of John Sweeney to the presidency of the federation, many projects have been launched, and the labor movement has gained a larger place in the national spotlight. The 1996 "Union Summer" project introduced many college students to the labor movement, highlighted the need for an increase in the ethnic diversity of its organizers, and even injected a dose of youthful

57. Diamond, "US Labor," 257.

58. Parallel changes may be emerging in Mexico. Forty unions defied the ban imposed by Fidel Velázquez against marching on May Day 1996, including 21 unions of the official Labor Congress which participated despite threat of expulsion. The massive protest was led by telephone workers' union leader Francisco Hernández Juárez.

idealism into union organizing. In addition, the successful minimum wage campaign demonstrated that labor's interests are not as parochial as critics like to believe and helped revitalize its role in national politics since the defeat of health care reform. Behind the scenes, changes in the AFL-CIO's international office—particularly the resignation of William Doherty, the thirty-year executive director of AIFLD—hopefully indicates a more progressive foreign policy toward the Western Hemisphere and the end of some of the more unconscionable acts which have historically emerged from that department. John Sweeney has even suggested that unions need “to move toward coordinated bargaining involving workers in this country and those in other countries” who work for the same corporation, although the amount of resources to be placed behind such an ambitious agenda remains to be seen.

Although this paper has argued for increased resources and organizing on the transnational level, the nation state will continue to be the focal point for redress of labor grievances for a very, very long time to come. A renewed national presence will therefore be of utmost importance. As Benedict Anderson has argued, the nation forms an “imagined community,” and the domestic fight cannot be forfeited for some lofty brand of transnationalism that overlooks national politics for solutions.⁵⁹ As Sam Ginden, Research Director of the Canadian Autoworkers, furthers the argument, “the nation-state is absolutely fundamental as a place where people can democratically try to do things, that it isn't so distant that it becomes something that you can't control or so localized that it isn't really practical . . . if you really were strong at the nation-state, you actually could talk about why don't we have international standards or why aren't we dealing with international capital flows which are in fact increasingly destabilizing.”⁶⁰

Exercise and Strengthen Transnational Institutions

On the transnational plane of action, there is further encouragement that NAFTA's Labor Side Accord, rather than the mere palliative for which it has been dismissed, could be made into a useful tool for prying open meaningful international labor standards that could serve to discourage low-wage corporate strategies. Four cases have already been pushed through the

59. Benedict Anderson, *Imagined Communities* (London: Verso, 1991).

60. Interview with Sam Ginden, Research Director of the Canadian Auto Workers, by John French of Duke University on 22 June 1994 in Toronto.

Labor Side Accord mechanisms by both Mexican and US organizations which allege failures to enforce rights or standards in the other country. Although each of these complaints have only produced the "penalty" of more meetings and further discussions as critics predicted, they have brought important public attention to key labor rights issues.

Furthermore, as Stephen Herzenberg has argued, the exercising of the flabby muscles of the side agreement could be orchestrated toward a single end: *rebuilding the agreement*.⁶¹ The side accord specifically allows for a review of its effectiveness within four years. With adequate pressure and evidence accumulated through the limited mechanisms offered within the agreement, the end result could be the opportunity to place genuine labor rights on the trilateral bargaining table. The much-criticized Evaluation Committees of Experts (ECE) at the core of the Side Accord's provisions, although blocked from handling industrial relations issues, could be made into a forum for pursuing more meaningful trilateral standards. The idea would be to build adequate bureaucratic momentum and self interest on behalf of national representatives to NAFTA's labor institutions to insure its growth and eventual restructuring.

The recent crackdown on Los Angeles garment sweatshops offers Mexican activists a wonderful opportunity to request an ECE investigation against the US and further reverse the anti-NAFTA logic that Mexico is the singular labor standards violator. In fact, there are grounds for each country launching ECEs against the garment sector in each of the other countries which could illuminate the need for effective transnational regulation of this uniquely exploitative sector. Herzenberg similarly suggests the viability of such trilateral squeezes on agricultural labor practices, janitorial services, and a variety of other sectors. Other ideas include aggressively pursuing the Cooperative Programs called for in the side agreement which could even include regional development strategies, a commission on 21st century labor rights, and transnational wage and productivity monitoring. The side accord mechanisms are not the only arena for an increased transnational presence as the North American Development Bank and the Border Environmental Co-operative Commission are other continental institutions which organized labor could help push toward a greater role in transnational regulation and development.

61. For a discussion of these options see Stephen Herzenberg, "Switching Tracks: Using NAFTA's Labor Agreement to Move Toward the High Road," Border Briefing #2, Interhemispheric Resource Center/International Labor Rights Fund.

Organize Reflectively

Finally, a more reflective posture can be seen in the way US unions are thinking and acting with regard to their southern neighbors. These approaches avoid the sticky problems of first world protectionism, publicly highlight corporate responsibility, and are cautious and constructive about the message labor organizations are sending to other countries. Three examples will illustrate this trend. The Teamsters Union won an important victory to delay the opening of the US border-states to lower-standard and less-safe Mexican trucks. But their efforts did not end there. This action was followed by the trinational NAFTA Truckers' Summit to discuss shared sectoral issues, and a full-page advertisement in Mexico City's largest independent daily paper, *La Jornada*, calling for coordinated efforts by working families in all three countries. The advertisement also made clear to Mexican readers that the union did not support the well-publicized scapegoating of immigrants in the United States—a simple act which helps to undermine stereotypes Mexicans have of a blatantly racist US working-class. "Our fight is not with each other," concluded Teamster President Ron Carey, "Our fight is against corporate greed that is destroying jobs and wages on both sides of the border."

Another constructive effort, albeit not with a NAFTA country, which gracefully avoided the pitfalls of first-world protectionism, has emerged from the campaign against the popular clothing retailer, The GAP. Coordinated by the National Labor Committee with help from UNITE (Union of Needletrades, Industrial and Textile Employees), the Interfaith Center for Corporate Responsibility and a host of local organizations, the campaign featured a US tour by teenage maquila workers from El Salvador which targeted the GAP's retail businesses. The firing of 350 workers in the face of an organizing effort at one of GAP's subcontracted facilities initiated the campaign and resulted in two very significant victories: the first time any retailer has agreed to submit to third-party monitoring of its factories, and an agreement to remove its production from the factory unless the workers were reinstated in their positions and negotiations were begun with the fired unionists to resolve their differences. Such actions are a key step toward making both consumers and corporations accountable for their actions. Most importantly, by targeting the company and demanding that the employees be returned to their jobs, this strategy sidesteps the traditional approach of trade sanctions which have been criticized as protectionist measures wielded for the benefit of US workers against foreign workers.

The third and final example of organizing reflectively suggests the

power of perseverance and international solidarity. When female workers at EMOSA, a Tijuana o-ring factory owned by a California-based company, were forced to parade around in a bikini contest for the amusement of the company's president, the workers filed complaints with Mexican authorities. The company failed to appear at the subsequent hearing and simply closed the plant without paying the workers the severance pay required by Mexican law. With assistance from the Support Committee for Maquiladora Workers in San Diego, the workers filed suit in Los Angeles—the first time Mexican workers have sued a transnational company in US courts for violations of Mexican labor law. The success of the case, however, hinged on actions from the UAW's International Labor Solidarity Network in distant Michigan. The UAW's agreement with the Big Three auto firms includes the stipulation that suppliers must be "good corporate citizens" and, under pressure of losing contracts with the automakers, the company agreed to settle out of court. Although terms of the agreement are secret, the women are reported to be happy with their financial settlement and are making plans to launch a manufacturing co-operative.

These examples suggest that labor's formula for forging ahead in the post-NAFTA era is emerging from the disparate struggles against concrete circumstances across the continent. The rebuilding of domestic power, working toward more effective transnational labor institutions, and organizing on a more reflective and strategic basis suggest that the high road toward continental integration may already be under construction. These three approaches each serve to shift the focus away from the zero-sum logic of job losses and avoid singling out the victimization of Mexican workers; instead they serve to confront the reality of an already-existing pattern of transnational economic integration. In retrospect, perhaps the NAFTA fight itself may have been a diversion which prevented the labor movement from contending with the core of the crisis. Just saying "no" to a trade proposal was much easier than confronting the fundamental labor problem of the 21st century—the globalization of the labor market. With the NAFTA struggle now history, planning for the future appears to be already underway.

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